United States Environmental Protection Agency
Criminal Investigation Division
Investigative Activity Report

Case Number
0600-0539

Case Title:
Team, Inc.

Reporting Office:
Dallas, TX, Area Office

Subject of Report:
[redacted] Interview 1

Activity Date:
May 4, 2010

Reporting Official and Date:
[redacted], SA
15-JUL-2010, Signed by [redacted], SA

Approving Official and Date:
[redacted], SAC
20-JUL-2010, Approved by [redacted] SAC

SYNOPSIS

05/04/2010 - On 05/04/10, at approximately 5:10 pm, Special Agents [redacted] and [redacted] interviewed [redacted] at the [redacted] provided details regarding [redacted] previous employment as an [redacted] performing Leak Detection and Repair monitoring for Team Industrial Services in Borger, TX. [redacted] stated [redacted] was familiar with the practice of "punching in," but denied ever do so [redacted]

DETAILS

Special Agent [redacted] provided the following report:

On 05/04/10, at approximately 5:10 pm, Special Agents [redacted] and [redacted] interviewed [redacted]

[redacted] was advised of the purpose of the interview and that [redacted] participation was voluntary. [redacted] consented to the interview and provided the following information:

[redacted] verified that [redacted] previously worked as a Leak Detection and Repair (LDAR) Emission Control Specialist (ECS) for Team Industrial Services (Team) located at 610 N. Florida St, Borger, TX. [redacted] noted [redacted] [redacted] [redacted] said [redacted] was sent to Team's corporate training school for one week. [redacted] recalled that the training was [redacted] said the training consisted of five eight hour days. [redacted] noted that [redacted] also had to pass twenty written tests administered by Team's Borger office before [redacted] started working in the field. [redacted] said [redacted] finished the testing in two weeks, and then participated in an on the job training program.

[redacted], a senior ECS worked at [redacted] side. [redacted] stated the [redacted] pointed out errors or mistakes while working. [redacted] said after the three months passed, [redacted] then worked individually and only received oversight if necessary. [redacted] noted that [redacted] worked at the [redacted]

[redacted] said Team sent a small crew of four to five ECSs to a refinery, noting the crew worked to monitor the valves in predetermined sections within the refinery on a daily basis. [redacted]

noted the monitoring equipment consisted of a TVA and a data logger. [redacted] noted the data loggers were pre-loaded with the valve names and locations for those valves to be scanned during the shift. [redacted] said the Valero refinery information was up-loaded to the data loggers by [redacted] each morning. [redacted] noted that the ECSs waved the TVA device around the circumference of each valve to monitor for fugitive emissions. [redacted] commented that the data logger recorded the results for each valve monitored by an ECS. [redacted] recalled that the diameter of the valve determined the length of time required to properly monitor for fugitive emissions, although [redacted] could not remember specific time requirements. [redacted] noted that the information recorded by the data logger would flag any valve that was not monitored for the required amount of time, or if too much time was spent monitoring a valve. [redacted] commented that at lunch, as well as the end of a shift, the data loggers were turned in, and the monitoring data was downloaded into a Team managed database. [redacted] noted Team printed out "M21" time sheets for each ECS in order to review the number of valves monitored, as well as the time spent monitoring each valve. [redacted] said all flagged valves were always re-monitored.

[redacted] estimated that an average ECS could monitor somewhere between 500 to 600 regular sized valves during a daily shift. [redacted] noted that ease of accessibility, distance between valves, as well as height off of the ground determined how fast an ECS could monitor. [redacted] estimated that due to logistics of accessing the valves, [redacted] really might only have monitored as few as 200 valves, or as many as 1000 valves per day.

[redacted] said Team's ECS crews operated under monthly quotas that had to be completed. [redacted] commented that if Team failed to complete the quota, then both Team and the refinery received a fine from the state. [redacted] opined that it was difficult to meet the monthly quotas because ECSs often called in sick, and there was a high turn over rate of ECSs. [redacted] recalled that at the beginning of the month, the ECS crew normally worked four ten hour days. [redacted] said as the month progressed, the length of the work days increased in an effort to meet the quota. [redacted] stated at the end of the month the ECS workers were informed by Team management that a certain number of valves remained to be monitored. [redacted] opined that the number often seemed to be impossible to accomplish given the short amount of time, but recalled that the ECSs were usually told that the numbers had been met. [redacted] stated [redacted] often kept a running tally of the number of valves [redacted] monitored on a daily basis in [redacted] head, and also recorded the numbers on a calendar in the office. [redacted] noted Team also provided the "M21" time sheets that showed the daily monitoring records. [redacted] commented that it was not his place to question the managers when told that the monthly quota had been met.

[redacted] stated that Team did not threaten its employees in order to achieve the monthly quota. [redacted] said Team managers encouraged the ECSs to do their best, and offered a $50 gift card for the employee of the month. [redacted] commented that Team managers held the opinion that if any given ECS can complete a monitoring route in one day, then all ECSs should be capable of doing the same. [redacted] noted that if an ECS was unable to finish a route during one working day, the route was finished the following day. [redacted] recalled that occasionally Team supervisors approved overtime hours in order to complete routes. [redacted] noted Team managers also informed the ECS crews that if the routes were finished early, then they could go home early.

[redacted] acknowledged that [redacted] knew what the phrase "punching in" meant, explaining that it was clicking the data logger without using the TVA to legitimately monitor a valve for fugitive emissions. [redacted] said ECSs would "punch in" in order to appear that they were monitoring, but denied ever doing so [redacted] offered that an ECS might "punch in" if a valve was in a difficult location to reach, or due to extremely hot or cold weather. [redacted] commented that when [redacted] first started working for Team, the punishment for anyone caught "punching in" was the issuance of a written warning by management. [redacted] noted that Team eventually adopted a zero tolerance policy toward "punching in," and that ECSs were fired if caught. [redacted] said Team went to its zero tolerance after an ECS was caught sitting in his vehicle at the [redacted] refinery "punching in" [redacted]

[redacted] said [redacted] was aware that Team used to perform LDAR services at the [redacted] relayed that he heard rumors that Team ECSs reported to the refinery at 7:00 am each morning, but would then leave the premises because the refinery did not have an ID scanner. [redacted] noted that the ECSs were claiming to have worked a full day, but in reality performed very little monitoring. [redacted] said this cost [redacted] a lot of money, and Team eventually lost the LDAR contract. [redacted] commented that Team employees [redacted] both worked at [redacted], and afterwards were transferred to other divisions within Team. [redacted] said [redacted] is currently a [redacted] works in Team's [redacted].

[redacted] stated [redacted] learned about "punching in" from former Team ECS [redacted] said [redacted] witnessed [redacted] "punching in" and asked him what [redacted] was doing. [redacted] commented that [redacted] was fired for an unspecified "mishap" that occurred on [redacted] out of town monitoring route. [redacted] noted that [redacted], quit because [redacted] was upset that [redacted] was terminated. [redacted] said [redacted] was known to "punch in." [redacted] noted that sometimes [redacted] found evidence that a previous ECS "punched in" a valve, while monitoring the valve. [redacted] stated that Team managers tasked [redacted] with watching for other employees "punching in." [redacted] noted he stood nearby the ECS crew and pretended to be reviewing piping diagrams while watching the monitoring activities.

[redacted] noted before [redacted], Team began to utilize new TVA and data logger units. [redacted] said the new data loggers have a screen that displays a photograph of the valve to be monitored. Additionally, [redacted] noted that the data loggers also have GPS units.

[redacted] said Team conducted internal audits of its ECS crews shortly before [redacted] noted [redacted] was working at the [redacted] at the time. [redacted] said [redacted] group was honored as being the best ECS crew that was audited that year. [redacted] noted [redacted] crew identified and corrected problems created by previous Team ECS crews working at the refinery. [redacted] commented that [redacted] crew did things "by the book." [redacted]. [redacted] noted [redacted] also renewed the LDAR contract with Team.

[redacted] was the last day [redacted] worked for Team. [redacted] said [redacted] for a [redacted] stated [redacted] entered the refinery without signing in, which is a safety violation. [redacted] noted later

in the day, [redacted] saw [redacted] and Team ECS [redacted] sitting in [redacted] vehicle at the refinery. [redacted] commented that [redacted] was warned previously about sitting in [redacted] vehicle. [redacted] said Team agreed to [redacted], [redacted] that during extreme cold or heat, it was easy to stay in the vehicle because ECSs wore Nomex suits.

[redacted] said that a Team ECS did not have the authority to delete a valve from the data logger records. [redacted] explained that the ECS took note of valves that were unable to be located, and at the end of the month additional attempts to find the valve were made. [redacted] noted refinery employees also attempted to find the valves before the decision to remove a valve from a monitoring route was made.

[redacted] said Team ECSs were authorized to attempt to repair leaking valves when found, but were not authorized to replace the valves. [redacted] said if the amount of fugitive emissions tripped the data logger's alarm, then the ECS would turn the nut on the valve's packing one quarter turn. [redacted] commented that the valve was monitored a second time to verify whether or not tightening the nut had stopped the leak. [redacted] paperwork documenting the second check and the parts per million (ppm) reading was submitted to the Team Data Processor. [redacted] stated that for valves that continued to leak, a work order was submitted to the refinery to repair the valve. [redacted] said for valves the refinery was unable to repair, Team's valve repair division was hired to complete the repairs.

[redacted] commented that if the "M21" daily time sheet showed 30 valves that all had the same ppm reading, then the 30 valves would have to be monitored a second time. [redacted] opined that the "M21" was reviewed to determine whether anyone was suspected of "punching in." [redacted] also noted that the data loggers would flag the monitoring of a valve on which either too little time; or too much time was spent. [redacted] commented that [redacted] is the [redacted] for the [redacted] is the [redacted] and [redacted]. [redacted] noted former [redacted]